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WP.No.24931/2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MS. JUSTICE R.POORNIMA

WP.No.24931/2024 & WMP.Nos.27276 & 27277/2024

B.Jaisankar

... Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu
O/o.Housing & Urban Development
Department, Secretariat, Chennai 600 009.

2.The Commissioner/Member Secretary
Pollachi Local Planning Authority
Pollachi Municipality, Pollachi,
Coimbatore District 642 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus to direct the 1st respondent to dispose of the special revision/application filed on 12.08.2024 under Sections 80A and 80A[3] of the Town and Country Planning Act, 1971 by giving personal hearing to the petitioner and within the reasonable time to be fixed by this



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For Petitioner : Mr.K.V.Muthuvisakan
For R1 : Mr.M.R.Gokul Krishnan, AGP
For R2 : Mr.B.Anand, Standing counsel

ORDER

[Order of the Court was made by S.S.SUNDAR, J.,]

- (1) Mr.M.R.Gokul Krishnan, learned Additional Government Pleader accepts notice on behalf of the 1st respondent and Mr.B.Anand, learned Standing counsel accepts notice on behalf of the 2nd respondent.
- (2) The limited prayer in this writ petition is to give direction to the 1st respondent to dispose of the special revision filed by petitioner under Section 80-A of the Town and Country Planning Act, 1971, after hearing the petitioner.
- (3) Even though this Court has no difficulty in issuing direction to dispose of the special revision stated to have been filed by the petitioner, learned standing counsel appearing for the 2nd respondent states that pursuant to the enforcement action taken by the respondents under Sections 56 and 57 of the Act, 1971, which is challenged in the special revision, the



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respondents have locked and sealed the premises of the petitioner.

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(4) Considering the fact that the respondents have already sealed the premises, this Court cannot grant any interim order of injunction as prayed for. However, the learned counsel for the petitioner hence pray further that the respondents may be directed to remove the lock and seal and maintain status quo till the disposal of the special revision filed under Section 80-A of the Act.

(5) Accordingly, the writ petition stands **disposed of with a direction** to the 1st respondent to dispose of the special revision petition stated to have been filed by the petitioner under Section 80-A of the Town and Country Planning Act, 1971, on merits and in accordance with law after giving an opportunity of hearing, within a period of sixteen weeks from the date of receipt of a copy of this order. Till such time the special revision is disposed of by the 1st respondent, the respondents are directed **to maintain status quo**. Since it is now represented that the respondents had already sealed the premises, to maintain status quo as on the date when the special revision is filed, **the 2nd respondent is directed to deseal the premises within a period of two days from the date of**



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receipt of a copy of this order. It is open to the respondents to take further action in accordance with the final order that may be passed by the 1st respondent in the statutory revision. No costs. Consequently, connected miscellaneous petitions are closed.

[S.S.S.R., J.] [R.P., J.]
24.09.2024

AP

Internet : Yes

Neutral Citation : Yes/No

To

1.The Principal Secretary to
Government of Tamil Nadu
O/o.Housing & Urban Development
Department, Secretariat, Chennai 600 009.

2.The Commissioner/Member Secretary
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Pollachi Municipality, Pollachi,
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S.S. SUNDAR, J.,
and
R.POORNIMA, J.,

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